

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13489 of 676 4th Street, N.E., Cooperative, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.45 to use the subject premises as a private parking lot accessory to an apartment building at the premises rear 626 4th Street, N.E., (Square 778, Lots 68-75).

HEARING DATE: May 13, 1981
DECISION DATE: June 3, 1981

FINDINGS OF FACT:

1. The subject property is located on the interior of Square 778. This square is bounded by G, F, Third and Fourth Streets, N.W. The property is in an R-4 Zone District at premises known as rear 626 4th Street, N.E.
2. Access to the subject site is through a fifteen foot wide public alley from Third or Fourth Streets. The site is surrounded on all sides by public alleys, two of which are thirty feet in width.
3. The site is presently vacant and unimproved. The applicant proposes to construct an accessory parking lot to be deeded with condominium units at 676 4th Street, N.E., which is located in the same square.
4. The applicant testified that the condominium at 676 4th Street, N.E., occupies virtually the entire site and does not allow for any provision of parking for any of the owners of its twenty six units.
5. The proposed parking lot would accommodate twenty four vehicles. These twenty four spaces would be sold individually to the owners of twenty four of the twenty six units.
6. Since there is no increase in the number of living units in the apartment building, the applicant would not be required to provide any parking for the condominium site.
7. The applicant testified that on-street parking is extremely scarce in the area.

9. The lot is designed so that no vehicle projects over any lot line.

10. No other use is to be conducted on the lot.

11. No vehicular entrance or exit is within twenty-five feet of a street intersection.

12. The Capitol Hill Restoration Society offered support for the application on the grounds that the lot would be a valuable addition to the area, provided that the applicant landscape the lot in a reasonably attractive manner, and provide additional lighting on the lot to enhance safety.

13. The Stanton Park Neighborhood Association offered support for the application on the grounds that the parking as accessory to the planned condominium would help relieve on-street parking congestion in the area. The Association expressed concern, however, that the lot be adequately lighted at night, and that some form of landscaping be provided.

14. Advisory Neighborhood Commission 6A did not report on this application. The Advisory Neighborhood Commissioner for single member district 6A-18, the affected area, supported the application on the grounds that off-street parking is essential to the proposed condominium apartment units, provided the lot is well lighted and maintained.

15. As to the concerns of the above Capitol Hill Restoration Society, the Stanton Park Neighborhood Association and Advisory Neighborhood Commissioner for 6A-18, the Board finds that requests for adequate lighting and landscaping are not unreasonable. The Board will require the applicant to adequately light and landscape the site, in order to ensure the safety of its users as well as aesthetically improve the overall appearance of the lot in a residential area.

16. The Office of Planning and Development by report received May 8, 1981 and testimony given at public hearing, recommended approval of the application on the grounds that accessory parking on the proposed site is a viable plan for providing for an apartment building that is large for this area, occupies most of its lot, and offers no means for on-site parking. The OPD found that the interior lot lends itself well to parking for the proposed condominium. The Board so finds.

17. This application was referred to the Department of Transportation on March 24, 1981, No formal report from DOT was received, although DOT did confirm that adequate lighting would be provided in public alleys around the site.

18. There was no opposition to the granting of this application.

CONCLUSIONS OF LAW AND OPINION:

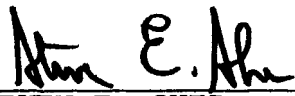
Based on the foregoing Findings of Fact and the evidence of record, the Board is of the opinion that the application substantially meets the requirements of Paragraph 3104.45 of the Zoning Regulations. The Board concludes that the lot is necessary to serve the accessory parking needs of the proposed condominium to be located on the same square at 626 4th Street, N.E. The lot meets all the requirements of Article 74. The apartment building is an existing one that covers virtually the entire site and provides no parking space. The subject application can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Map, and will not tend to affect adversely the use of neighboring property in accordance with said Regulations and Map. Accordingly, it is hereby ORDERED that the application is GRANTED SUBJECT to the following CONDITIONS:

1. The parking spaces shall be sold to the individual purchasers of the condominium dwelling units.
2. Maintenance and upkeep of the lot shall be the responsibility of the condominium association.
3. The property shall be landscaped in accordance with the plans marked as Exhibit No. 24 of the record.
4. The parking lot shall meet the requirements of Article 74 of the Zoning Regulations.

VOTE: 5-0 (Walter B. Lewis, Douglas J. Patton, William F. McIntosh and Connie Fortune to grant; Charles R. Norris to grant by proxy)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 31 AUG 1981

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.